

COZEN O'CONNOR

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Attorney for Defendants

The Middle East Forum

and Gregg Roman

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LISA BARBOUNIS

:

Plaintiff,

:

-vs-

CIVIL ACTION NO. 2:19-cv-05030-JDW

:

THE MIDDLE EAST FORUM,

:

DANIEL PIPES (*individually*),

:

GREGG ROMAN (*individually*), and

:

MATTHEW BENNETT (*individually*)

:

Defendants.

:

CERTIFICATION OF JONATHAN R. CAVALIER, ESQ.

Pursuant to this Court's July 23, 2021 Order (ECF No. 141), Jonathan R. Cavalier, Esq., counsel for defendants The Middle East Forum ("MEF") and Mr. Gregg Roman ("Mr. Roman") ("Defendants"), hereby certifies as follows:

1. I am an attorney and member of the law firm of Cozen O'Connor with nearly fourteen (14) years of experience in labor and employment litigation.
2. I am lead counsel for defendant The Middle East Forum and co-counsel for defendant Mr. Roman in the above captioned action.
3. I took over as lead counsel in the above-captioned action in January 2021 following the departure of former lead counsel David J. Walton from Cozen O'Connor.

4. Leigh Ann Benson, an attorney at Cozen O'Connor, was formerly my co-counsel on this matter until she transferred from the litigation to another non-litigation role at the firm.

5. At the outset of the matter, Counsel worked with the client to identify and collect over 500,000 electronic documents and files ("ESI") from various custodians and data sources totaling roughly 95GBs.

6. The ESI was then loaded into a Relativity database using industry standard processing specifications including deNISTing and global de-duplication. No search terms or other pre-culling methods were applied to the ESI at this stage.

7. Counsel then worked closely with the client to identify a "seed set" of documents responsive to Plaintiff's discovery requests.

8. Counsel then leveraged Relativity's "categorization analytics" and the seed set of responsive documents to identify documents within the corpus of ESI for attorney review. This process resulted in over 41,000 documents for review.

9. Counsel then leveraged Relativity's "continuous active learning" ("CAL") document review workflow (also, commonly referred to as "predictive coding 2.0") to review the documents.

10. Using CAL, Counsel reviewed 14,237 documents within the CAL workflow and completed "elusion testing" to confirm that all responsive documents had been identified.

11. Counsel then produced 3,514 responsive documents through a series of rolling productions.

12. Pursuant to this Court's Orders of June 26 and July 23, 2021, counsel leveraged a second "continuous active learning" document review workflow across 16,867 documents.

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13. Using this CAL workflow, Counsel reviewed 4,213 documents and completed “elusion testing” to confirm that all responsive documents had been identified

14. Following this most recent review, Defendants will produce another 123 documents today—August 6, 2021.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Respectfully submitted,

Dated: August 6, 2021

COZEN O'CONNOR

s/Jonathan R. Cavalier
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The Middle East Forum and Mr. Gregg Roman*